

RECEIVED
CENTRAL FAX CENTER

002/008

TOWNSEND
and
TOWNSEND
and
CREW
III

APR 05 2007

San Francisco

Two Embarcadero Center
Eighth Floor
San Francisco, California 94111-3834
Tel 415 576.0200
Fax 415.576.0300

April 5, 2007

Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions

Re: **Renewed Petition Under 37 CFR 1.137(b) for Revival of**
U.S. Patent Application No. 09/403,174 filed October 18, 1999 for:
"System and Method for Identifying and Authenticating Accessories,
Auxiliary Agents and/or Fuels for Technical Apparatus"
Our File: 016072-000600US

Dear Ms. Donnell:

This is a follow-up to our telephone conversation of April 4, 2007, during which we briefly discussed the Decision on Petition dated October 16, 2006 (copy attached).

That Decision denied the applicant's Petition for Revival because the Petition was not accompanied by the required Appeal Brief. The Petition provides that a reconsideration request must include a cover letter, and that no petition fee therefor is necessary.

On December 13, 2006 the revised Appeal Brief (which was not attached to the original Petition) was filed. The first paragraph on page 1 of the Brief states that it was filed in response to your October 16, 2006 Decision. At the time the Brief was filed I was hospitalized, and as a result a Renewed Petition for Revival was inadvertently not submitted.

Attached hereto is a Renewed Petition for Revival of the application pursuant to 37 CFR 1.137(b). In accordance with the statement on page 2 of the October 16 Decision, no additional petition fee is necessary, and I have indicated this on the accompanying Renewed Petition.

The revised Appeal Brief is of record in this case and, therefore, I have not attached a further copy hereto. I trust this is in order. If not, I would appreciate it if you could give me a call and I can fax a copy of the Brief to you.

I believe that the Renewed Petition for Revival is now grantable, and such a decision at an early date is requested so that the appeal can move forward.

San Francisco | Palo Alto | Walnut Creek | San Diego | Denver | Seattle | Tokyo

www.townsend.com

TOWNSEND
and
TOWNSEND
and
CREW
ur

Office of Petitions
Mail Stop Petition
Commissioner for Patents
April 5, 2007
Page 2

I do not believe that any fee is due in connection with this letter and/or the attached Renewed Petition for Revival. However, if a fee should be due, please charge it to Deposit Account No. 20-1430.

If it is believed that a telephone conference would expedite prosecution of this application, please telephone the undersigned at (415) 273-4730 (direct dial).

Respectfully submitted,



J. Georg Seka
Reg. No. 24,491

JGS:jhw
Enclosures
61072326 v1

APR 05 2007

PTO/SB/84 (09-08)

**RENEWED PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNINTENTIONALLY UNDER
37 CFR 1.137(b)**Docket Number (Optional)
16072-6

First named inventor: PETER RUDLOFF

Application No.: 09/403,174

Art Unit: 1761

Filed: October 18, 1999

Examiner: Drew E. Becker

Title: SYSTEM AND METHOD FOR IDENTIFYING AND AUTHENTICATING ACCESSORIES, AUXILIARY
AGENTS AND/OR FUELS FOR TECHNICAL APPARATUSAttention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (571) 273-8300NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration
date of the period set for reply in the office notice or action plus any extensions of time actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee — required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity — fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity — fee \$ (this fee was previously paid) (37 CFR 1.17(m)).

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in
the form of Appeal Brief (identify type of reply):

- ☒ has been filed previously on December 13, 2008
- ☐ is enclosed herewith.

- B. The issue fee and publication fee (if applicable) of \$ _____

- ☐ has been paid previously on _____
- ☐ is enclosed herewith.

[Page 1 of 2]